

(b) The applicant does not meet the minimum age requirement of the position as of the closing date of the recruitment;

(c) The applicant is neither a citizen of the United States nor possesses the status of a permanent resident alien thereof;

(d) The applicant is physically unfit for the performance of duties of the position applied for;

(e) The applicant is addicted to the habitual excessive use of drugs or intoxicating liquor;

(f) The applicant has been convicted of a crime involving moral turpitude where the conduct constituting the offense is related to or reflects upon the fitness of the applicant to perform the duties of the position;

(g) The applicant has made a false statement of any material fact or has omitted any material fact or has practiced or attempted to practice any deception or fraud in the application.

Section 7.5 Permissive Rejection

The City Manager as personnel officer, or the Manager's designee, may reject any application if, in that person or group's judgment, the number of applicants for the position is so great that it would be unmanageable to interview all applicants possessing the minimum qualifications. In such cases, the applicants selected for interview or further consideration may be limited to those who, in the judgment of the City Manager or the Manager's designee, possess the qualifications that best fit the needs of the Department concerned.

This shall not apply to applications for positions being filled by promotional examination.

Section 7.6 Notice of Rejection

Whenever an application is rejected, notice of such rejection with a statement of reason may be mailed to the applicant by the City Manager or the Manager's designee. In all promotional examinations, when an application is rejected, notice of such rejection with a statement of reason shall be provided within 10 days to the applicant by the City Manager or the Manager's designee.

Section 7.7 Defective Applications

Defective applications may be returned to the applicant with notice to amend the same, at the discretion of the Personnel Officer.

Section 8. Examinations

Section 8.1 Nature and Type of Examinations

(a) The selection techniques used in the examination process shall be impartial, of a practical nature, and shall relate to those subjects which, in the opinion of the Personnel Officer, fairly measure the relative capacities of the persons examined to execute the duties and responsibilities of the class to which they seek to be appointed.

(b) Examinations may consist of such recognized personnel selection techniques as achievement tests, aptitude tests, evaluation of personality and background through personal interviews, performance tests, evaluation of daily work performance, work samples, or physical agility tests, or any combination of them.

Section 8.2 Promotional Examinations

Promotional examinations may be conducted whenever, in the opinion of the City Manager, the needs of the service require. Promotional examinations may include any of the selection techniques mentioned in Section 8.1, or any combination of them. Promotional examinations may also include evaluation of prior City service and accomplishments in special training courses. Any employee who meets the requirements set forth in the promotional examination announcement may compete in the promotional examination process.

Section 8.3 Conduct of Examinations

(a) The City Manager, or the Manager's designee shall determine the manner and methods by which and persons by whom examinations shall be prepared and administered.

(b) The City Council, upon recommendation of the Personnel Officer, may contract with any competent agency or individual for performing or preparing and administering examinations. In the absence of such a contract, City staff shall perform such duties.

(c) The City Manager shall arrange for the use of public buildings and equipment for the conduct of examinations and shall render such assistance as shall be required with respect thereto.

Section 8.4 Scoring Examinations and Qualifying Scores

(a) A candidate's score in a given examination shall be the average of that candidate's scores on each competitive part of the examination, weighted as determined by the Personnel Officer. Failure in one part of the examination may be grounds for declaring such applicant as failing in the entire examination or as disqualified for subsequent parts of an examination.

(b) The Personnel Officer may, at the Officer's discretion, include tests which are qualifying only as a part of the examination.

Section 8.5 Notification of Examination Results and Review of Papers

(a) Each candidate in an examination shall be given written notice of the results thereof, and if successful, of the candidate's final earned score and placement on the employment list.

(b) Any candidate shall have the right to inspect the candidate's own examination paper according to the rules of Human Resources. Any error in computation, if called to the attention of Human Resources within one month after the date of mailing of notices, shall be corrected. Such corrections shall not, however, invalidate appointments previously made.

Section 8.6 Veteran's Preference

Veteran's preference of 5% of the potential total final score shall be allowed all veterans of the U.S. military organizations if the deadline for filing applications is within five calendar years from the date of discharge from active duty, or as required by the state and federal law. The 5% veteran's preference provision shall not apply to promotional examinations.

Section 9. Appointments

Section 9.1 Sources of Appointments to Fill Vacancies

(a) Whenever the City Manager determines that a vacancy in a class described in Appendix "A" of this Memorandum of Understanding is to be filled, it shall be filled by re-employment, transfer, demotion, or from eligibles certified by the City Manager or the Manager's designee from an appropriate employment or promotional list, if available.

(b) Whenever the City Manager determines that a vacancy in a class described in Appendix "A" of this Memorandum of Understanding is to be filled, the City Manager shall determine the availability of employees for re-employment, requests for transfers, or demotion, and of eligibles on employment or promotional lists for the class.

(c) The City Manager shall certify the eligibles available to fill the vacancy by reinstatement, transfer, or demotion, or from a promotional or employment list.

Section 9.2 Order of Certification

Whenever certification is to be made, the employment lists, if any exist, shall be used in the following order: re-employment list, promotional list, open-competitive list. Whenever there are fewer than three names on a promotional list or seven names on an open-competitive list, the City Manager may make an appointment from among such eligibles or may establish a new list.

Section 9.3 Appointment

After interview and investigation, the City Manager shall make appointments from among those certified in accordance with Section 12. The City Manager shall thereupon notify the